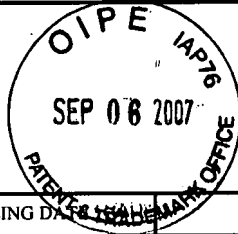




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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/710,576

07/21/2004

Pramod Jain

4575

36987 7590 07/17/2007
PRAMOD JAIN
9000 CYPRESS GREEN DRIVE, 108
JACKSONVILLE, FL 32256

EXAMINER

FRANCIS, MARK P

ART UNIT

PAPER NUMBER

2193

MAIL DATE

DELIVERY MODE

07/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary



Application No.

10/710,576

Applicant(s)

JAIN ET AL.

Examiner

Mark P. Francis

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 07/21/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is responsive to the application filed on July 21, 2004.
2. Claims 1-6 have been examined.

Oath/Declaration

3. The Office acknowledges receipt of a properly signed oath/declaration filed July 21, 2004.

Claim Objections

4. Claims 1-6 are objected to because of the following informalities: Claims 1-6 do not end with a Period. All claims in the application should end with "." Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claim 1,

In this instance, the language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to an environment or machine which would result in a practical application that would produce a useful, concrete, and tangible result to form the basis of statutory subject matter under 35 USC 101.

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According to the 101 Interim Guidelines, The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application."). "[An application of a law of nature or mathematical formula to a ... process may well be deserving of patent protection." Diehr, 450 U.S. at 187, 209 USPQ at 8 (emphasis added); see also 21 Corning, 56 U.S. (15 How.) at 268, 14 L.Ed. 683 ("It is for the discovery or invention of some practical method or means of producing a beneficial result or effect, that a patent is granted . . ."). In other words, the opposite meaning of "tangible" is "abstract."

Applicant just mentions a method of developing web application, which can be deployed as JSP 168 compliant as well as a standalone web application without defining any steps taken or needed to develop or build the corresponding web application, thus the claim is merely an abstract idea. Therefore, the claim as a whole does not result in a tangible practical application.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

8. A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by

Sundaresan. (U.S. PGPUB 2005/0086664)

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Independent claims

With respect to claim 1, Sundaresan discloses a method of developing a web application, (See Abstract, "...creating applications, such as web applications...") which can be deployed as is in a JSP168 compliant portal framework (Col 1:0015, "...JSPs provide dynamic scripting...") as well as deployed as a standalone web application (Col 3:0027-0028, "...types of logic, may be standalone or integrated...")

Dependent claims

With respect to claim 2, the rejection of claim 1 is incorporated and further, Sundaresan discloses that the server side pages contain data access logic with conditional check that gets data from the portal server or standalone server. (Col 2:0019-0020, "...The control and flow logic...", Col 3:0023, "...various flow and control logic...")

With respect to claim 3, the rejection of claim 2 is incorporated and further, Sundaresan discloses that in presentation logic in the server side pages is common (Col 0018-0019, "...the presentation logic...", e.g. See Fig. 1, element 16 and related text)

With respect to claim 4, the rejection of claim 2 is incorporated and further, Sundaresan discloses that the submit logic in the server side pages contains a conditional check that chooses portal server or standalone server to submit (Col 3:0028-0031, "...identifies the appropriate portal specific...The layout manager enables a portal to separate...")

With respect to claim 5, the rejection of claim 1 is incorporated and further, Sundaresan discloses that in a single broker class handles all the backend processing for both portal server and standalone (Col 3:0023-0025, "...action classes...action class...")

With respect to claim 6, the rejection of claim 1 is incorporated and further, Sundaresan discloses that in a single action class connects the portlet container to the broker class in the case of portal application(Col 3:0025, "...The action class then creates or interacts with the model object...")

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark P. Francis whose telephone number is (571) 272-7956. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Mark P. Francis

Patent Examiner

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A handwritten signature in black ink, appearing to read 'Thomas Lee', with a long horizontal flourish extending to the right.

THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2193

ELECTRONIC INFORMATION DISCLOSURE STATEMENT

Electronic Version v18

Stylesheet Version v18.0

**Title of
Invention**

Unified Approach to Building Web Applications that can be
deployed as stand-alone and in Web Portals

Application Number :

Confirmation Number:

First Named Applicant: Pramod Jain

Attorney Docket Number:

Art Unit:

Examiner:

Search string: (1111111111).pn

US Published Applications

Note: Applicant is not required to submit a paper copy of cited US Published Applications

init	Cite.No.	Pub. No.	Date	Applicant	Kind	Class	Subclass
MPF	1	111111111111	2004-07-21	Professional Portal Development			

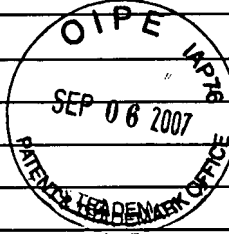
Signature

Examiner Name	Date
Mark P. Francis	7/3/07

Notice of References Cited	Application/Control No. 10/710,576	Applicant(s)/Patent Under Reexamination JAIN ET AL.	
	Examiner Mark P. Francis	Art Unit 2193	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2005/0091336 A1	04-2005	DeHamer et al.	709/217
*	B	US-2005/0086664 A1	04-2005	Sundaresan et al.	719/312
*	C	US-2006/0069920 A1	03-2006	Jolley, Chris	713/182
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			



FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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